

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CIVIL ACTION NO: 3:19-cv-00348-MOC-DSC**

XPO LOGISTICS, INC.,

Plaintiff,

v.

JESSICA NORTHROP,

Defendant.

CONSENT JUDGMENT

This matter comes before the Court on the joint motion of Plaintiff XPO Logistics, Inc. (“XPO”) and Defendant Jessica (“Northrop”). The Court makes the following findings:

1. XPO and Northrop are parties to a written Confidential Information Protection Agreement dated April 4, 2016 (“CIPA”).

2. On June 28, 2019, XPO filed a Verified Complaint against Northrop in Mecklenburg County Superior Court (the “State Court”) asserting claims for breach of the noncompetition and confidentiality covenants in the CIPA and seeking damages and preliminary and permanent injunctive relief. On July 1, 2019, the State Court entered a Temporary Restraining Order enjoining Northrop from violating the noncompetition and confidentiality covenants set forth in the Agreement. [Dock. # 1-1 at 65-67.]

3. On July 19, 2019, Northrop removed this action to this Court. [Dock. # 1.] On August 2, 2019, following a hearing, this Court issued its Order Granting Plaintiff’s Motion for Preliminary Injunction and continued the injunction prohibiting Northrop from violating the noncompetition and confidentiality covenants. [Dock. # 15.]

4. The noncompetition covenant in the Agreement has expired. The confidentiality covenant remains in effect according to its terms.

5. XPO and Northrop have agreed to resolve this lawsuit through the entry of this Consent Judgment and a separate settlement agreement.

Based upon these findings, the agreement of the Parties and for good cause shown:

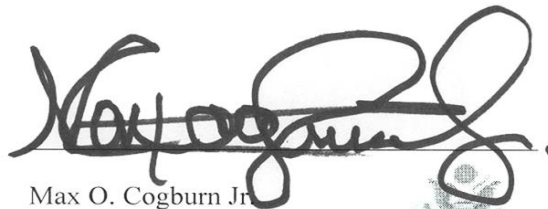
IT IS HEREBY ORDERED that:

1. Northrop is enjoined and restrained from violating the confidentiality covenant in Section 1 of the CIPA, including from using or disclosing XPO's Confidential Information or assisting any other person in doing so.
2. This Court shall retain jurisdiction to adjudicate any claims arising out of a violation of this Consent Judgment, and shall be permitted to exercise all remedies legally available for violations of an injunction.
3. The preliminary injunction entered in this cause shall terminate upon the entry of this Consent Judgment, and the \$75,000 bond posted by XPO may be cancelled.
4. Except for proceedings provided in Paragraph 2 hereof, proceedings in this case shall be terminated.

Respectfully submitted and consented to:

<p><u>/s/ Douglas M. Jarrell</u> David C. Wright, III N.C. Bar No. 11161 dwright@robinsonbradshaw.com</p> <p>Douglas M. Jarrell N.C. Bar No. 21138 djarrell@robinsonbradshaw.com</p> <p>Gabriel Wright N.C. Bar No. 52472 gwright@robinsonbradshaw.com</p> <p>Robinson, Bradshaw & Hinson, P.A. 101 North Tryon Street, Suite 1900 Charlotte, North Carolina 28246-1900 Telephone: (704) 377-2536 Facsimile: (704) 378-4000 <i>Attorneys for Plaintiff</i></p>	<p><u>/s/ Philip J. Gibbons, Jr. Jr.</u> Philip J. Gibbons, Jr. N.C. Bar No. 50276 phil@gibbonsleis.com</p> <p>Craig L. Leis N.C. Bar No. 48582 craig@gibbonsleis.com</p> <p>Gibbons Leis, PLLC 14045 Ballantyne Corporate Place, Suite 325 Charlotte, North Carolina 28277 Telephone: (704) 612-0038</p> <p><i>Attorneys for Defendant</i></p>
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Signed: October 13, 2020


Max O. Cogburn Jr.
United States District Judge

